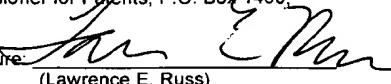
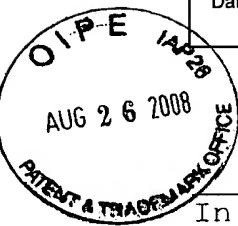


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 22, 2008 Signature   
(Lawrence E. Russ)

AT  
Docket No.: SONYJP 3.0-147  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:  
Keiji Yuzawa

Application No.: 09/812,163

Group Art Unit: 2154

Filed: March 19, 2001

Examiner: J. Chang

For: INFORMATION DISTRIBUTION SYSTEM,  
INFORMATION RECEIVING APPARATUS,  
INFORMATION LISTFORMING METHOD,  
INFORMATION DELETING METHOD, AND  
INFORMATION STORING METHOD

**APPELLANT'S REPLY BRIEF ON APPEAL**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The present Reply Brief is responsive to the Examiner's Answer mailed June 23, 2008.

STATUS OF CLAIMS

Claims 25-44 are pending in the present application. All of claims 25-44 are rejected, and all of claims 25-44 are the subject of the present appeal.

GROUNDS OF REJECTION IN VIEW OF THE EXAMINER'S ANSWER

In the Examiner's Answer, the Examiner indicated that the following rejection remains:

Claims 25-44 were rejected under 35 U.S.C. § 103(a) as being obvious over *Bedard* (U.S. Patent No. 5,801,747) in view of *Alexander* (U.S. Patent No. 6,177,931) and *Inoue* (U.S. Patent No. 6,185,360).

## ARGUMENT

In the Examiner's Answer, the Examiner "admits that *Bedard* does not specifically teach user selecting stored items and causing said at least one of moving images or audio sound to be reproduced from said user-selected item at a user-selected time" (see pg.13 11.3-6) but continues to assert that *Bedard* otherwise "discloses the invention substantially as claimed..." (see pgs.3-5 at Item 3) and further asserts that "*Bedard* explicitly teaches arranging said stored items of information in an order according to said access priorities..." (see pg.17 1.12 to pg.18 1.2). However, *Bedard* is not at all concerned with "items containing content information including at least one of moving images or audio sound" (emphasis added) as set forth in the claims.

Rather, *Bedard* is concerned with downloaded electronic program guide (EPG) information. (See col.3 11.57-60.) *Bedard* describes:

...monitoring a viewer's viewing activities, determining not only the viewer's favorite channels, but also the viewer's preferred categories of programming, and configuring the display of an Electronic Program Guide ("EPG") or other suitable guide system in accordance with the viewer's viewing preferences.

(Emphasis added; see col.2 11.6-12.) More specifically, *Bedard* describes:

...the information captured by the viewer profile can be used by an EPG to tailor display 400 so as to provide faster access to information concerning the viewer's preferred channels and/or programming categories. Thus, rows 404 may be configured by an EPG in accordance with the viewer profile such that preferred channels or preferred categories of programming are displayed at the top of table 402, and may be easily selected by a viewer.

(Emphasis added; see col.7 ll.19-27.) Thus, Bedard simply teaches tailoring a downloaded data table that provides television program listings on a viewer's television screen (i.e., the EPG display) in accordance with viewer profile information. (See also col.1 ll.29-32.) A person of ordinary skill in the relevant art would not consider a reference that relates to tailoring a downloaded data table of television program listings to disclose or suggest steps relating to transmitted items containing content information including at least one of moving images or audio sound.

As an example, claim 25 recites:

transmitting information items to said user terminal, at least some of said transmitted items containing content information including at least one of moving images or audio sound;

at said user terminal, receiving said transmitted items containing content information and assigning access priorities to said received items;

selecting some of said received items containing content information on the basis of information representing said access priorities;

selectively storing said selected items in said user terminal; [and]

arranging said stored items of information in an order according to said access priorities[.]

(Emphasis added.) Because Bedard does not disclose or suggest transmitted items containing content information including at least one of moving images or audio sound, the reference neither discloses nor suggests transmitting information items containing content information including at least one of moving images or audio sound to the user terminal, as set forth in claim 25. Likewise, Bedard does not disclose or suggest receiving the transmitted items containing content information (including at least one of moving images or audio sound) as set forth in claim 25, does not disclose or suggest assigning access priorities to the received items (containing content information including at least one of moving images or audio sound) as set

forth in claim 25, does not disclose or suggest selecting some of the received items containing content information (including at least one of moving images or audio sound) on the basis of information representing access priorities as set forth in claim 25, does not disclose or suggest selectively storing the selected items (containing content information including at least one of moving images or audio sound) as set forth in claim 25, and does not disclose or suggest arranging the stored items of information (containing content information including at least one of moving images or audio sound) in an order according to access priorities as set forth in claim 25.

Independent claims 30, 35, and 40 each recite features similar to those set out in the above excerpt of claim 25. Therefore, Bedard similarly fails to disclose or suggest such features as set out in these claims.

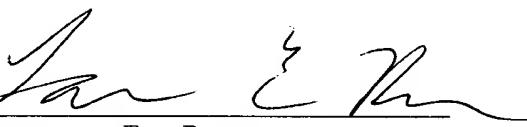
CONCLUSION

For all of the reasons set forth in Appellants' Appeal Brief and in this Reply Brief, the rejections of claims 25-44 should be reversed.

If there are any additional charges in connection with this brief, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 22, 2008

Respectfully submitted,

By 

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